29 CFR Part 1904
Welcome to Recording and Reporting Occupational Injuries and Illnesses

410 527 4463

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Why Do We Have This Regulation?

OSHA. ACT
1970

The Occupational Safety and Health Act and the OSHA Recordkeeping System

- The mission of the OSH Act is to assure safe and healthful working conditions for America's workforce through the reduction of occupational injuries and illnesses.
- The OSHA recordkeeping system was created to provide a means of measuring the progress toward achieving that goal.

Total Recordable Case Incidence Rates Per 100 Full-Time Workers for All Non-Fatal Workplace Injuries and Illnesses, Maryland's Private Sector

STARTED COUNTING FATALS IN JOB PLACE IN 1992

Purpose of the Recordkeeping System

- Provide information to employers
- Provide information to MOSH
- Source of State and national statistics (BLS)

1904.39 – New Fatality/Catastrophe Reporting

- Report orally within (8) hours any work-related fatality to 410-527-4499 or 1-888-257-MOSH
- Do not need to report highway or public street motor vehicle accidents (outside of a construction work zone)
- Do not need to report commercial airplane, train, subway or bus accidents

DEATH OCCURRED W/IN 30 DAYS
MUST BE REPORTED W/IN 8 HRS

1904.39, Coming in summer 2016 - New reporting requirements...

Report all in-patient hospitalizations of one or more; all amputations; and all injuries involving loss of an eye, within 24 hours.

- These new provisions will impact all industries, all employers, and all 7.5 million establishments under OSHA's jurisdiction - regardless of who must keep OSHA 300 records

3 OR MORE ADMITTED TO HOSPITAL IN MARYLAND FOR NOW, WILL BE ADJUSTED IN NEAR FUTURE DUE TO FEDERAL ADOPTING TO 1

1904.39 - Amputation Defined…

- An amputation is defined as the traumatic loss of a limb or other external body part. Amputations include a part, such as a limb or appendage, that has been severed, cut off, amputated (either completely or partially); fingertip amputations with or without bone loss; medical amputations resulting from irreparable damage; and amputations of body parts that have since been re-attached.

LOSS OF EYE MUST BE REPORTED AS WELL - 24 HRS

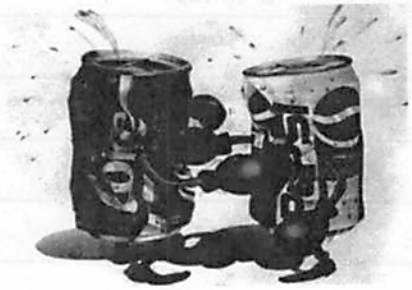
Organization of the Rule

Subpart A	Purpose
Subpart B	Scope
Subpart C	Form and Recording Criteria
Subpart D	Other Requirements
Subpart E	Reporting to the Government
Subpart F	Transition
Subpart G	Definitions

Subpart A -1904.0, Purpose

- To require employers to record and report work-related fatalities, injuries and illnesses
  - Note: Recording or reporting a work-related injury, illness, or fatality does not mean the employer or employee was at fault, an OSHA rule has been violated, or that the employee is eligible for workers' compensation or other benefits.
- OSHA injury and illness recordkeeping and Workers' Compensation are independent of each other

OSHA Recordkeeping and Workers Compensation **ARE** different.



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1904.31 – Covered Employees

- Employees on payroll
- Employees not on payroll who are supervised on a day-to-day basis
- Exclude self-employed and partners
- Temporary help agencies should not record the cases experienced by temp workers who are supervised by the using firm

EXEMPTION FOR SMALL EMPLOYER

Subpart B - 1904.1, Size Exemption

- If your company had 10 or fewer employees at all times during the last calendar year, you do not need to keep the injury and illness records unless surveyed by OSHA or the Bureau of Labor Statistics
- The size exemption is based on the number of employees in the entire company
- Include temporary employees whom you supervise on a day to day basis in your count

ONLY 20% of EMPLOYERS HAVE TO KEEP RECORDS

Coming soon in 2016 - Updated industry exemptions based on NAICS

- OSHA has updated the list of industries partially exempt from maintaining the OSHA log.
- Changes took effect January 1, 2015 in federal jurisdiction states.
- Revised list based on the North American Industry Classification System (NAICS) and newer injury and illness data.

Subpart B - 1904.2, New Industry Exemptions

- **All** industries in agriculture, forestry, fishing and hunting, mining, quarrying, oil & gas extraction, utilities, construction manufacturing, and wholesale trade sectors **must keep OSHA records**
- In the retail and service sectors, some industries are partially exempt

New partially exempt industries

- 38 industries will no longer be required to keep records
- Affected employment: 4 million; affected establishments: 119,000
- Some newly partially exempt industries are:
  - Other motor vehicle dealers (NAICS 4412)
  - Gasoline stations (NAICS 4471)
  - Pipeline transportation of natural gas (NAICS 4862)
  - Newspaper, periodical, book, and directory publishers (NAICS 5111)

Industries newly required to keep records

- 24 new industries would be required keep OSHA records
- Affected employment: 5.3 million; affected establishments: 199,000
- Some new industries are:
  - Automobile dealers (NAICS 4411)
  - Bldg. material and supply dealers (NAICS 4441)
  - Beer, wine and liquor stores (NAICS 4453)
  - Other ambulatory health care services (NAICS 6219)
  - Other amusement and recreation industries (NAICS 7139)

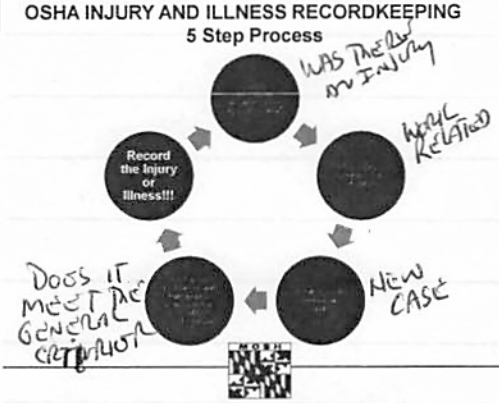
Note to Subpart B, Exception

- Employers that are partially exempt from the recordkeeping requirements because of their size or industry must continue to comply with:
  - 1904.39, Reporting fatalities and inpatient hospitalization of one, amputations and loss of eye incidents
  - 1904.41, Annual OSHA injury and illness survey (if specifically requested to do so by OSHA)
  - 1904.42, Bureau of Labor Statistics' Annual Survey (if specifically requested to do so by BLS)

Subpart C - 1904.4, Recording Criteria

- Covered employers must record each fatality, injury or illness that:
  - is work-related; and
  - is a new case; and
  - meets one or more of the criteria contained in sections 1904.7 through 1904.11.

OSHA INJURY AND ILLNESS RECORDKEEPING
5 Step Process



Step 2:
Is the Injury or Illness Work-Related?

Determination of Work-Relatedness [1904.5]

Work-relatedness is presumed for injuries and illnesses resulting from events or exposures occurring in the **work environment** unless an exception specifically applies.

A case is presumed work-related if an event or exposure in the work environment is a discernible cause of the injury or illness or of a significant aggravation to a pre-existing condition.

1904.5, The Work Environment

- The **work environment** is defined as the establishment and other locations where one or more employees are working or present as a condition of employment.

- The work environment includes **not only** physical locations, but also the equipment or materials used by employees during the course of their work.

1904.5 – Exception to the Presumption of Work-Relatedness when in Work Environment

- Present as a member of the general public
- Symptoms arising in work environment that are solely due to non-work-related event or exposure

- Voluntary participation in wellness program, medical, fitness or recreational activity

- Eating, drinking or preparing food or drink for personal consumption
- Personal tasks outside assigned working hours

1904.5 – Exceptions Continued…

- Personal grooming, self medication for non-work-related condition, or intentionally self-inflicted

- Motor vehicle accident in parking lot/access road during commute
- Common cold or flu
- Mental illness, unless employee voluntarily provides a medical opinion from a physician or licensed health care professional (PLHCP) having appropriate qualifications and experience that affirms work-relatedness

1904.5 – Travel Status

- An injury or illness that occurs while an employee is on travel status is work-related if it occurred while the employee was engaged in work activities in the interest of the employer
- Home away from home
- Detour for personal reasons is **NOT** work-related

Step 3:
1904.6 - Is the Injury or Illness a New Case?

Consider an injury or illness a "new case" if the employee has not previously experienced a recorded injury or illness of the same type that affects the same part of the body,

the employee previously experienced a recorded injury or illness of the same type that affected the same part of body but had recovered completely (all signs and symptoms had disappeared) from the previous injury or illness and an event or exposure in the work environment caused the signs or symptoms to reappear.

1904.6 – New Cases

- If there is a medical opinion regarding resolution of a case, the employer must follow that opinion
- If an exposure triggers the recurrence, it is a new case (e.g., asthma, rashes)
- If signs and symptoms recur even in the absence of exposure, it is not a new case (e.g., silicosis, tuberculosis, asbestosis)

Step 4:
Does the Injury or Illness Meet the General Criteria or the Application to Specific Cases?

General Recording Criteria 1904.7

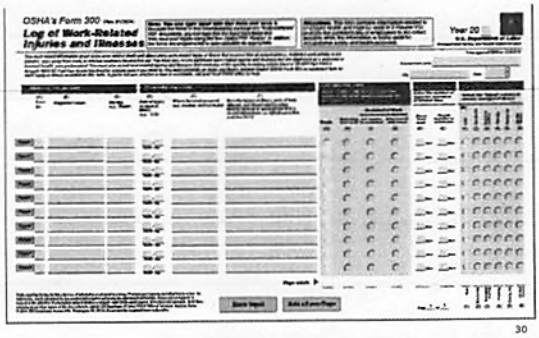
An injury or illness is recordable if it results in one or more of the following:

- Death
- Days away from work
- Restricted work activity
- Transfer to another job
- Medical treatment beyond first aid
- Loss of consciousness
- Significant injury or illness diagnosed by a PLHCP

1904.7(b)(2)- Fatalities

- Record an injury or illness that results in the employee's death.
- Enter a check mark in column "G" on the OSHA 300 Log.
- You must also report any work-related fatality to MOSH within eight (8) hours as required by 1904.39.

OSHA 300 Log



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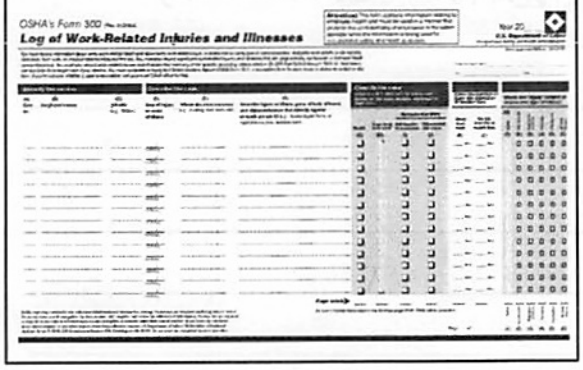
1904.7(b)(3) - Days Away Cases

- Record if the case involves one or more days away from work
- Check the box for days away cases (col. H) and count the number of days and enter in (col. K)
- Do not include the day of injury/illness

OSHA Form 300


OSHA's Form 300

Log of Work-Related Injuries and Illnesses

1904.7(b)(3) – Days Away Cases

- Day counts (days away or days restricted)
  - Count the number of calendar days the employee was unable to work (include weekend days, holidays, vacation days, etc.)
  - Cap day count at 180 days away and/or days restricted
  - May stop day count if employee leaves company for a reason unrelated to the injury or illness
  - If a medical opinion exists, employer must follow that opinion

1904.7(b)(5) – Medical Treatment

- Medical treatment is the management and care of a patient to combat disease or disorder.
- It does not include:
  - Visits to a PLHCP solely for observation or counseling
  - Diagnostic procedures
  - First aid

1904.7(b)(5) – First Aid

- Using nonprescription medication at nonprescription strength
- Tetanus immunizations
- Cleaning, flushing, or soaking surface wounds
- Wound coverings, butterfly bandages, Steri-Strips
- Hot or cold therapy
- Non-rigid means of support
- Temporary immobilization device used to transport accident victims

UNLESS GIVEN IN PRESCRIPTION STRENGTH (467 MILLIGRAMS)

1904.7(b)(5) – First Aid

- Drilling of fingernail or toenail, draining fluid from blister
- Eye patches
- Removing foreign bodies from eye using irrigation or cotton swab
- Removing splinters or foreign material from areas other than the eye by irrigation, tweezers, cotton swabs or other simple means
- Finger guards
- Massages
- Drinking fluids for relief of heat stress

1904.7(b)(6) – Loss of Consciousness

- All work-related cases involving loss of consciousness must be recorded

1904.7(b)(7) – Significant Diagnoses of Injury or Illness

- The following work-related conditions must always be recorded at the time of diagnosis by a PLHCP:
  - Cancer
  - Chronic irreversible disease
  - Punctured eardrum
  - Fractured or cracked bone or tooth

1904.8 – Bloodborne Pathogens

- Record all work-related needlesticks and cuts from sharp objects that are contaminated with another person's blood or other potentially infectious material (includes human bodily fluids, tissues and organs; other materials infected with HIV or HBV such as laboratory cultures)
- Record splashes or other exposures to blood or other potentially infectious material if it results in diagnosis of a bloodborne disease or meets the general recording criteria

NEEDLESTICK IS AUTOMATICALLY REPORTABLE.

1904.9 – Medical Removal

- If an employee is medically removed under the medical surveillance requirements of an OSHA standard, you must record the case
- The case is recorded as either one involving days away from work or days of restricted work activity
- If the case involves voluntary removal below the removal levels required by the standard, the case need not be recorded

1904.10 – Hearing Loss

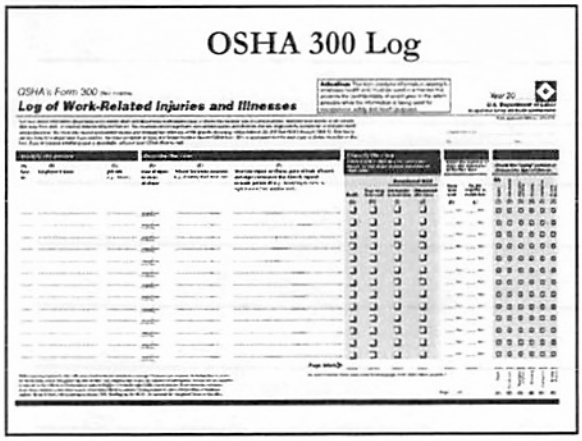
- Must record all work-related hearing loss cases where:
  - Employee has experienced a Standard Threshold Shift (STS)[1], and
  - Employee's overall hearing level is 25 decibels (dB) or more above audiometric zero [averaged at 2000, 3000, and 4000 hertz (Hz)] in the same ears as the STS

[1] An STS is defined in OSHA's noise standard at 29 CFR 1910.95(g)(10)(i) as a change in hearing threshold, relative to the baseline audiogram, of an average of 10 dB or more at 2000, 3000, and 4000 Hz in one or both ears.

1904.29 - Forms

- OSHA Form 300 – Log of Work-Related Injuries and Illnesses
- OSHA Form 300A – Summary of Work-Related Injuries and Illnesses THIS GETS POSTED
- OSHA Form 301 – Injury and Illness Incident Report

OSHA 300 Log

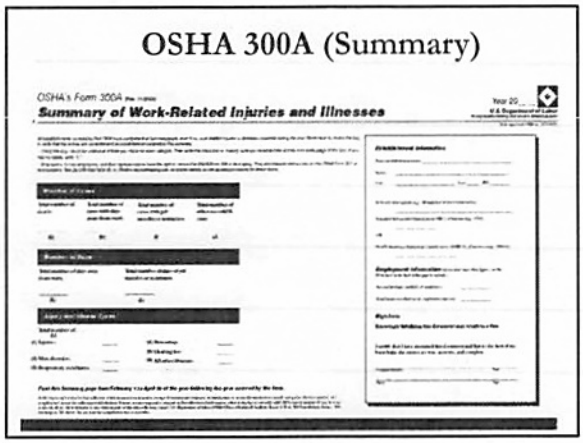

OSHA's Form 300

Log of Work-Related Injuries and Illnesses

Year 20__

U.S. Department of Labor

OSHA 300A (Summary)


OSHA's Form 300A

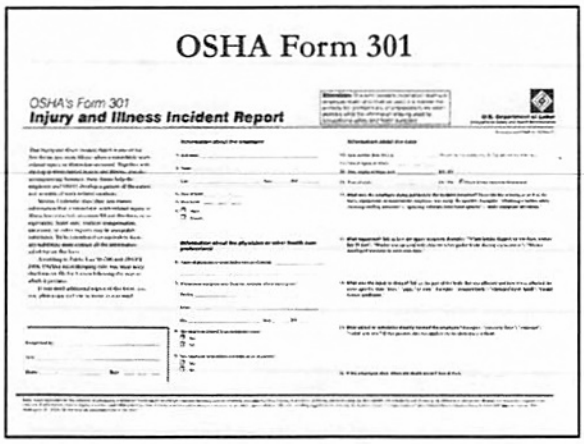
Summary of Work-Related Injuries and Illnesses

Year 20__

U.S. Department of Labor

THIS FORM IS POSTED IN CONSPICUOUS AREA FROM FEB TO APRIL

OSHA Form 301


OSHA's Form 301

Injury and Illness Incident Report

U.S. Department of Labor

SHOULD BE INC FOR EVERY OSHA RECORDABLE CASE

1904.29 – Privacy Protection

- Privacy concern cases are:
  - An injury or illness to an intimate body part or reproductive system
  - An injury or illness resulting from sexual assault
  - Mental illness
  - HIV infection, hepatitis, tuberculosis
  - Needlestick and sharps injuries that are contaminated with another person's blood or other potentially infectious material
  - Employee voluntarily requests to keep name off for other illness cases

1904.30 – Multiple Business Establishments

- Keep a separate OSHA Form 300 for each establishment that is expected to be in operation for more than a year
- May keep one OSHA Form 300 for all short-term establishments
- Each employee must be linked with one establishment

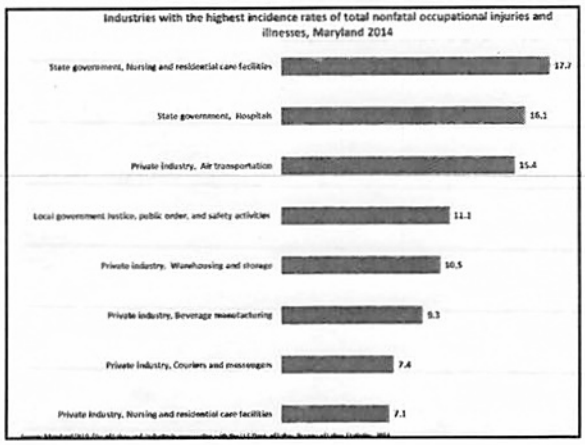
1904.32 – Posting of Annual Summary

- Review OSHA Form 300 for completeness and accuracy, correct deficiencies

- Complete OSHA Form 300A
- Certify summary
- Post summary

1904.33 – Retention and Updating

- Retain forms for 5 years following the year that they cover
- Update the OSHA Form 300 during that period
- Need not update the OSHA Form 300A or OSHA Form 301



For More Information and Help…

- OSHA's Recordkeeping Page
  www.osha.gov/recordkeeping/index.html
- MOSH Research and Statistics
  410-527-4463/4465
- MOSH Consultation
  410-527-4472
- MOSH Outreach Unit
  410-527-2091

Recordkeeping Case Studies and Questions?

Thank You

- Students
- Facility
- Others

Drive Safely!

OSHA Recordkeeping Case Scenarios

1. Two contractual custodians were arguing while on the job. The exchange became heated and escalated into a fist fight. One custodian received a mild concussion that required medical treatment. Is this OSHA recordable? Y

2. Mary, a warehouse worker, suffered from a fear of mice. While packing audio components for shipment she fainted after discovering several of the rodents had taken up residence around her work area. Is this OSHA recordable? Y

3. Alice was injured and assigned restricted work activity by the company nurse. Alice stated she could not perform her newly assigned duties and instead, stayed home. How should the employer record this case? RESTRICTED WORK

4. Joan scalds herself after accidentally spilling hot coffee on her arm during the morning break. She goes to the doctor who prescribes a prescription ointment. Is this OSHA recordable? N

5. Larry, the company cost accountant, is involved in an auto accident during his Monday morning commute. The car was a company owned vehicle. He experienced a slight concussion. His doctor prescribed a prescription medication for pain and time off from work. Larry was out the remainder of the week. Is this OSHA recordable? N

6. Alan contracted the flu that was going around the office. His doctor prescribed bed rest. He was off for 5 days. Is this recordable? N

7. A poultry producer provides transportation pick-up and take home services for its employees. The bus is involved in a vehicle accident during the morning commute. Several workers are injured and require medical treatment. Are these cases OSHA recordable? Y & N Y IF REQUIRED TO GET ON BUS

8. Joan sprained her ankle after she tripped and fell while entering the building at the beginning of her shift. She had not yet "punched-in". Is this OSHA recordable? Y

9. Alice, an LPN, was assisting a nursing home resident who was experiencing a nose bleed. Although Alice was wearing gloves, she got a trace amount of blood on her arm. Is this recordable? N

10. Sam was attempting to move around a co-worker when he tripped and jammed his right index finger into a desk. His finger became swollen but there was no laceration. Sam was sent to the urgent care center where he was diagnosed with a finger dislocation. He was given an anesthetic injection so that the physician could realign the bones. He was then given a finger splint and told to take over-the-counter ibuprofen. He reported back to work the next morning. Is this recordable? Y

11. Karen, a nursing home assistant, pulled a lower back muscle while transferring a resident from a chair to a bed. Without following the company's established procedures for reporting injuries she took prescription-strength ibuprofen and then notified management of her injury. Is this OSHA recordable? N

12. Jim, a lathe operator, pulled a lower back muscle while lifting a tool jig off a pallet and onto his worktable at the beginning of his Friday morning shift. Throughout the morning he felt his back stiffen so he went to the company clinic just before lunch. The nurse advised him to take the afternoon off and return to his regularly scheduled shift on Monday. Is this OSHA recordable? N

13. A defense contractor installed a series of mechanical barriers on a company owned and controlled parking lot. The barriers are flush with the ground but can be activated at a moment's notice, rising up with great force to protect the facility from threat of truck bombs and other homeland security issues. An employee is driving her vehicle across the lot and exiting the property for the day to begin her commute home. A security guard inadvertently activates one of the protective barriers. The employee's car was crossing the barrier at that moment. Her vehicle was suddenly lifted off the ground and the car's air bags activated causing her multiple injuries that required medical treatment and days away from work. Is this case OSHA recordable? Y

14. A correctional officer accidentally sprays himself in the face with pepper spray. He uses the eyewash station for 15 minutes. Is this an OSHA recordable? N

15. A landscaping foreman is stung by a bee while supervising a crew planting shrubs in an industrial park. He is highly allergic to bee stings and requires an epinephrine shot that he self administers. Is this OSHA recordable? Y

OSHA Recordkeeping's Top 10 "Head-Scratchers" True or False

1. We were always told if it's Workers' Comp. compensable, it's OSHA recordable.

2. Doesn't everyone have to keep an OSHA log?

3. We don't record injuries to temporary help workers, they're not our employees. False

4. I'm not recording that case, it was his fault. He was told the proper procedures then ignored them. RECORD

5. Oh, we're a non-profit organization, we don't need to keep those kinds of records. False

6. Yes, we've got several locations, but it is easier to keep one log for everybody. Besides, I was told the regulation allows for that. ~~False~~ TRUE/FALSE

7. Denise was bitten by a spider out back during her smoke break. I'm not recording that!

8. It is company policy; we don't record "days away from work" cases for our employees. Unfortunately if they're injured and can't work, we have to lay them off.

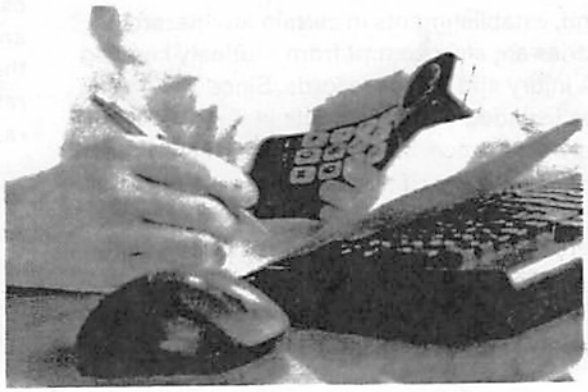
9. She was hurt during an off-site team building event so I didn't record it. Besides, someone told us the hotel should have recorded it.

10. We play it safe and just record everything!

OSHA® FactSheet

Updates to OSHA's Reporting and Recordkeeping Rule: An Overview

The Occupational Safety and Health Administration's updated recordkeeping rule includes two key changes. First, the rule updates the list of industries that are exempt from the requirement to routinely keep OSHA injury and illness records due to relatively low occupational injury and illness rates. The previous list of industries was based on the old Standard Industrial Classification (SIC) system and injury and illness data from the Bureau of Labor Statistics (BLS) from 1996-1998.



The new list of industries that are exempt from routinely keeping OSHA injury and illness records is based on the North American Industry Classification System (NAICS) and injury and illness data from the Bureau of Labor Statistics (BLS) from 2007-2009. Note: The new rule retains the exemption for any establishment with ten or fewer employees, regardless of their industry classification, from the requirement to routinely keep records.

Second, the rule expands the list of severe work-related injuries and illnesses that all covered employers **must report** to OSHA. The revised rule retains the current requirement to report all fatalities within 8 hours and adds the requirement to report all inpatient hospitalizations, amputations and loss of an eye within 24 hours to OSHA.

The new requirements will take effect on January 1, 2015. Establishments located in states under Federal OSHA jurisdiction must begin to comply with the new requirements on January 1, 2015. Establishments located in states that operate their own safety and health programs should check with their state plan for the implementation date of the new requirements.

The final rule will allow OSHA to focus its efforts more effectively to prevent fatalities and severe work-related injuries and illnesses. The final rule will also improve access by employers, employees, researchers and the public to information about workplace safety and health and increase their ability to identify and abate serious hazards.

Changes to reporting requirements: What needs to be reported to OSHA?

OSHA's updated recordkeeping rule expands the list of severe injuries and illnesses that employers must report to OSHA.

As of January 1, 2015, all employers must report:

- All work-related fatalities within 8 hours.
- All work-related inpatient hospitalizations, all amputations and all losses of an eye within 24 hours.
- You can report to OSHA by:
  - Calling OSHA's free and confidential number at 1-800-321-OSHA (6742)
  - Calling your closest OSHA Area Office during normal business hours
  - Using the new online form that will soon be available.

Only fatalities occurring within 30 days of the work-related incident must be reported to OSHA. Further, for an inpatient hospitalization, amputation or loss of an eye, these incidents must be reported to OSHA only if they occur within 24 hours of the work-related incident.

Changes to recording requirements: Who is required to keep records?

OSHA regulations require certain employers to routinely keep records of serious employee injuries and illnesses. However, there are two classes of employers that are partially

exempt from routinely keeping records. First, employers with ten or fewer employees at all times during the previous calendar year are exempt from routinely keeping OSHA injury and illness records. **OSHA's revised recordkeeping regulation maintains this exemption.**

Second, establishments in certain low-hazard industries are also exempt from routinely keeping OSHA injury and illness records. Since 1982, this list has included establishments in the divisions of retail trade; finance, insurance and real estate; and the service industry if the three-year average lost workday case rate for their major industry group was 75 percent less than the overall three-year average of the lost workday case rate for private industry. **OSHA's revised recordkeeping regulation provides an updated list of low-hazard industries that are exempt from routinely keeping OSHA injury and illness records.** The new list of exempt industries is now classified by the North American Industry Classification System (NAICS), which is the standard used by federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing and publishing statistical data related to the U.S. business economy. The injury and illness rate threshold for an exemption is based on more recent BLS data.

Where can I find more information?

For more information about the new reporting requirements and updated industry lists, visit OSHA's webpage on the updated recordkeeping rule at www.osha.gov/recordkeeping2014.

Table 1: New List of Partially Exempt Industries

NAICS Code and Industry Description

4412	Other Motor Vehicle Dealers	5151	Radio and Television Broadcasting	5412	Accounting, Tax Preparation, Bookkeeping, and Payroll Services	6213	Offices of Other Health Practitioners
4431	Electronics and Appliance Stores	5172	Wireless Telecommunications Carriers (except Satellite)	5413	Architectural, Engineering, and Related Services	6214	Outpatient Care Centers
4461	Health and Personal Care Stores	5173	Telecommunications Resellers	5414	Specialized Design Services	6215	Medical and Diagnostic Laboratories
4471	Gasoline Stations	5179	Other Telecommunications	5415	Computer Systems Design and Related Services	6244	Child Day Care Services
4481	Clothing Stores	5181	Internet Service Providers and Web Search Portals	5416	Management, Scientific, and Technical Consulting Services	7114	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures
4482	Shoe Stores	5182	Data Processing, Hosting, and Related Services	5417	Scientific Research and Development Services	7115	Independent Artists, Writers, and Performers
4483	Jewelry, Luggage, and Leather Goods Stores	5191	Other Information Services	5418	Advertising and Related Services	7213	Rooming and Boarding Houses
4511	Sporting Goods, Hobby, and Musical Instrument Stores	5211	Monetary Authorities - Central Bank	5511	Management of Companies and Enterprises	7221	Full-Service Restaurants

NAICS Code and Industry Description

4512	Book, Periodical, and Music Stores	5221	Depository Credit Intermediation	5611	Office Administrative Services	7222	Limited-Service Eating Places
4531	Florists	5222	Nondepository Credit Intermediation	5614	Business Support Services	7224	Drinking Places (Alcoholic Beverages)
4532	Office Supplies, Stationery, and Gift Stores	5223	Activities Related to Credit Intermediation	5615	Travel Arrangement and Reservation Services	8112	Electronic and Precision Equipment Repair and Maintenance
4812	Nonscheduled Air Transportation	5231	Securities and Commodity Contracts Intermediation and Brokerage	5616	Investigation and Security Services	8114	Personal and Household Goods Repair and Maintenance
4861	Pipeline Transportation of Crude Oil	5232	Securities and Commodity Exchanges	6111	Elementary and Secondary Schools	8121	Personal Care Services
4862	Pipeline Transportation of Natural Gas	5239	Other Financial Investment Activities	6112	Junior Colleges	8122	Death Care Services
4869	Other Pipeline Transportation	5241	Insurance Carriers	6113	Colleges, Universities, and Professional Schools	8131	Religious Organizations
4879	Scenic and Sightseeing Transportation, Other	5242	Agencies, Brokerages, and Other Insurance Related Activities	6114	Business Schools and Computer and Management Training	8132	Grantmaking and Giving Services
4885	Freight Transportation Arrangement	5251	Insurance and Employee Benefit Funds	6115	Technical and Trade Schools	8133	Social Advocacy Organizations
5111	Newspaper, Periodical, Book, and Directory Publishers	5259	Other Investment Pools and Funds	6116	Other Schools and Instruction	8134	Civic and Social Organizations
5112	Software Publishers	5312	Offices of Real Estate Agents and Brokers	6117	Educational Support Services	8139	Business, Professional, Labor, Political, and Similar Organizations
5121	Motion Picture and Video Industries	5331	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)	6211	Offices of Physicians		
5122	Sound Recording Industries	5411	Legal Services	6212	Offices of Dentists		

Table 2: Industries That Include Establishments Newly Required to Keep Records

NAICS Code	Title of NAICS Code
3118	Bakeries and tortilla manufacturing
4411	Automobile dealers
4413	Automotive parts, accessories, and tire stores
4441	Building material and supplies dealers
4452	Specialty food stores
4453	Beer, wine, and liquor stores
4539	Other miscellaneous store retailers
4543	Direct selling establishments
5311	Lessors of real estate
5313	Activities related to real estate
5322	Consumer goods rental
5324	Commercial and industrial machinery and equipment rental and leasing
5419	Other professional, scientific, and technical services
5612	Facilities support services
5617	Services to buildings and dwellings
5619	Other support services
6219	Other ambulatory health care services
6241	Individual and family services
6242	Community food and housing, and emergency and other relief services
7111	Performing arts companies
7113	Promoters of performing arts, sports, and similar events
7121	Museums, historical sites, and similar institutions
7139	Other amusement and recreation industries
7223	Special food services
8129	Other personal services

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For assistance, contact us. We can help. It's confidential.

OSHA® Occupational Safety and Health Administration

www.osha.gov (800) 321-OSHA (6742)

U.S. Department of Labor

DEA FS-3744 09/2014

Starting on January 1, 2015, the following NAICS will be partially exempt from OSHA recordkeeping requirements:

Non-Mandatory Appendix A to Subpart B -- Partially Exempt Industries

Employers are not required to keep OSHA injury and illness records for any establishment classified in the following North American Industry Classification System (NAICS), unless they are asked in writing to do so by OSHA, the Bureau of Labor Statistics (BLS), or a state agency operating under the authority of OSHA or the BLS. All employers, including those partially exempted by reason of company size or industry classification, must report to OSHA any workplace incident that results in a fatality, in-patient hospitalization, amputation, or loss of an eye (see §1904.39).

NAICS Code	Industry Description	NAICS Code	Industry Description
4412	Other Motor Vehicle Dealers	5411	Legal Services
4431	Electronics and Appliance Stores	5412	Accounting, Tax Preparation, Bookkeeping, and Payroll Services
4461	Health and Personal Care Stores	5413	Architectural, Engineering, and Related Services
4471	Gasoline Stations	5414	Specialized Design Services
4481	Clothing Stores	5415	Computer Systems Design and Related Services
4482	Shoe Stores	5416	Management, Scientific, and Technical Consulting Services
4483	Jewelry, Luggage, and Leather Goods Stores	5417	Scientific Research and Development Services
4511	Sporting Goods, Hobby, and Musical Instrument Stores	5418	Advertising and Related Services
4512	Book, Periodical, and Music Stores	5511	Management of Companies and Enterprises
4531	Florists	5611	Office Administrative Services
4532	Office Supplies, Stationery, and Gift Stores	5614	Business Support Services
4812	Nonscheduled Air Transportation	5615	Travel Arrangement and Reservation Services
4861	Pipeline Transportation of Crude Oil	5616	Investigation and Security Services
4862	Pipeline Transportation of Natural Gas	6111	Elementary and Secondary Schools
4869	Other Pipeline Transportation	6112	Junior Colleges
4879	Scenic and Sightseeing Transportation, Other	6113	Colleges, Universities, and Professional Schools
4885	Freight Transportation Arrangement	6114	Business Schools and Computer and Management Training
5111	Newspaper, Periodical, Book, and Directory Publishers	6115	Technical and Trade Schools
5112	Software Publishers	6116	Other Schools and Instruction
5121	Motion Picture and Video Industries	6117	Educational Support Services
5122	[illegible]nd Recording Industries	6211	Offices of P[illegible]cians

5151	Radio and Television Broadcasting	6212	Offices of Dentists
5172	Wireless Telecommunications Carriers (except Satellite)	6213	Offices of Other Health Practitioners
5173	Telecommunications Resellers	6214	Outpatient Care Centers
5179	Other Telecommunications	6215	Medical and Diagnostic Laboratories
5181	Internet Service Providers and Web Search Portals	6244	Child Day Care Services
5182	Data Processing, Hosting, and Related Services	7114	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures
5191	Other Information Services	7115	Independent Artists, Writers, and Performers
5211	Monetary Authorities - Central Bank	7213	Rooming and Boarding Houses
5221	Depository Credit Intermediation	7221	Full-Service Restaurants
5222	Nondepository Credit Intermediation	7222	Limited-Service Eating Places
5223	Activities Related to Credit Intermediation	7224	Drinking Places (Alcoholic Beverages)
5231	Securities and Commodity Contracts Intermediation and Brokerage	8112	Electronic and Precision Equipment Repair and Maintenance
5232	Securities and Commodity Exchanges	8114	Personal and Household Goods Repair and Maintenance
5239	Other Financial Investment Activities	8121	Personal Care Services
5241	Insurance Carriers	8122	Death Care Services
5242	Agencies, Brokerages, and Other Insurance Related Activities	8131	Religious Organizations
5251	Insurance and Employee Benefit Funds	8132	Grantmaking and Giving Services
5259	Other Investment Pools and Funds	8133	Social Advocacy Organizations
5312	Offices of Real Estate Agents and Brokers	8134	Civic and Social Organizations
5331	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)	8139	Business, Professional, Labor, Political, and Similar Organizations

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OSHA® FactSheet

Updates to OSHA's Recordkeeping Rule: Reporting Fatalities and Severe Injuries

OSHA's updated recordkeeping rule expands the list of severe injuries that all employers must report to OSHA. Establishments located in states under Federal OSHA jurisdiction must begin to comply with the new requirements on January 1, 2015. Establishments located in states that operate their own safety and health programs should check with their state plan for the implementation date of the new requirements.

What am I required to report under the new rule?

Previously, employers had to report the following to OSHA:

- All work-related fatalities
- Work-related hospitalizations of three or more employees

Starting in 2015, employers will have to report the following to OSHA:

- All work-related fatalities
- All work-related inpatient hospitalizations of one or more employees
- All work-related amputations
- All work-related losses of an eye

Who is covered under the new rule?

All employers under OSHA jurisdiction must report all work-related fatalities, hospitalizations, amputations and losses of an eye to OSHA, even employers who are exempt from routinely keeping OSHA injury and illness records due to company size or industry.

An amputation is defined as the traumatic loss of a limb or other external body part. Amputations include a part, such as a limb or appendage, that has been severed, cut off, amputated (either completely or partially); fingertip amputations with or without bone loss; medical amputations resulting from irreparable damage; and amputations of body parts that have since been reattached.

How soon must I report a fatality or severe injury or illness?

Employers must report work-related fatalities within **8 hours of finding out about them.**

Employers only have to report fatalities that occurred within 30 days of a work-related incident.

For any inpatient hospitalization, amputation, or eye loss **employers must report the incident within 24 hours of learning about it.** Employers only have to report an inpatient hospitalization, amputation or loss of an eye that occurs within 24 hours of a work-related incident.

How do I report an event to OSHA?

Employers have three options for reporting the event:

- By telephone to the nearest OSHA Area Office during normal business hours.
- By telephone to the 24-hour OSHA hotline at 1-800-321-OSHA (6742).
- OSHA is developing a new means of reporting events electronically, which will be available soon at www.osha.gov.

What information do I need to report?

For any fatality that occurs within 30 days of a work-related incident, employers must report the event **within 8 hours** of finding out about it.

For any inpatient hospitalization, amputation, or eye loss that occurs within 24 hours of a work-related incident, employers must report the event within 24 hours of learning about it.

Employers reporting a fatality, inpatient hospitalization, amputation or loss of an eye to OSHA must report the following information:

- Establishment name
- Location of the work-related incident
- Time of the work-related incident
- Type of reportable event (i.e., fatality, inpatient hospitalization, amputation or loss of an eye)
- Number of employees who suffered the event
- Names of the employees who suffered the event
- Contact person and his or her phone number
- Brief description of the work-related incident

Employers do not have to report an event if it:

- Resulted from a motor vehicle accident on a public street or highway. Employers must report the event if it happened in a construction work zone.
- Occurred on a commercial or public transportation system (airplane, subway, bus, ferry, streetcar, light rail, train).
- Occurred more than 30 days after the work-related incident in the case of a fatality or more than 24 hours after the work-related incident in the case of an inpatient hospitalization, amputation, or loss of an eye.

Employers do not have to report an inpatient hospitalization if it was for diagnostic testing or observation only. An inpatient hospitalization is defined as a formal admission to the inpatient service of a hospital or clinic for care or treatment.

Employers do have to report an inpatient hospitalization due to a heart attack, if the heart attack resulted from a work-related incident.

Where can I find more information?

For more information about the updated reporting requirements, visit OSHA's webpage on the revised recordkeeping rule at www.osha.gov/recordkeeping2014.

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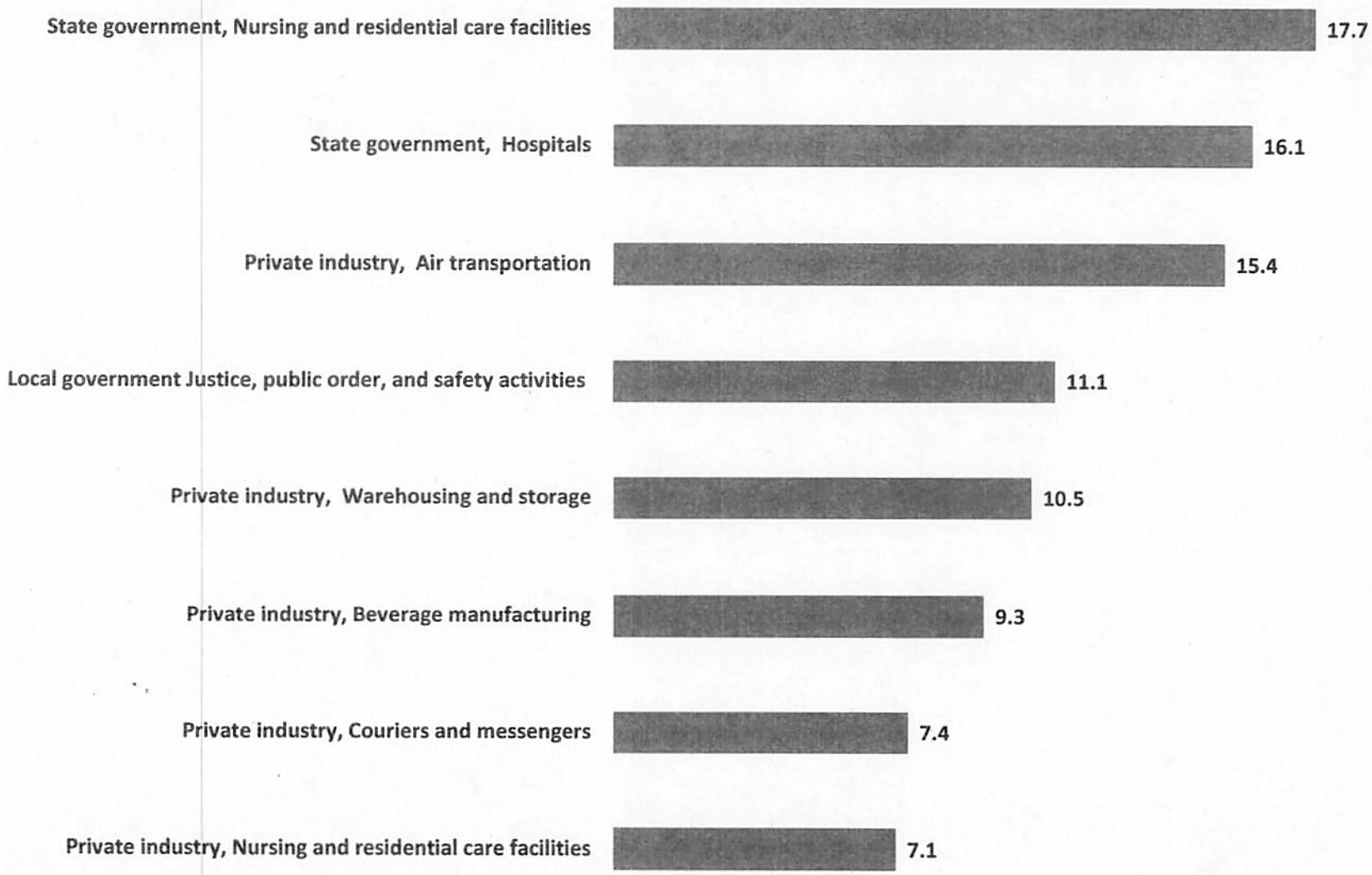
DEA FS-3745 09/2014

Recordkeeping Class Learning Objectives

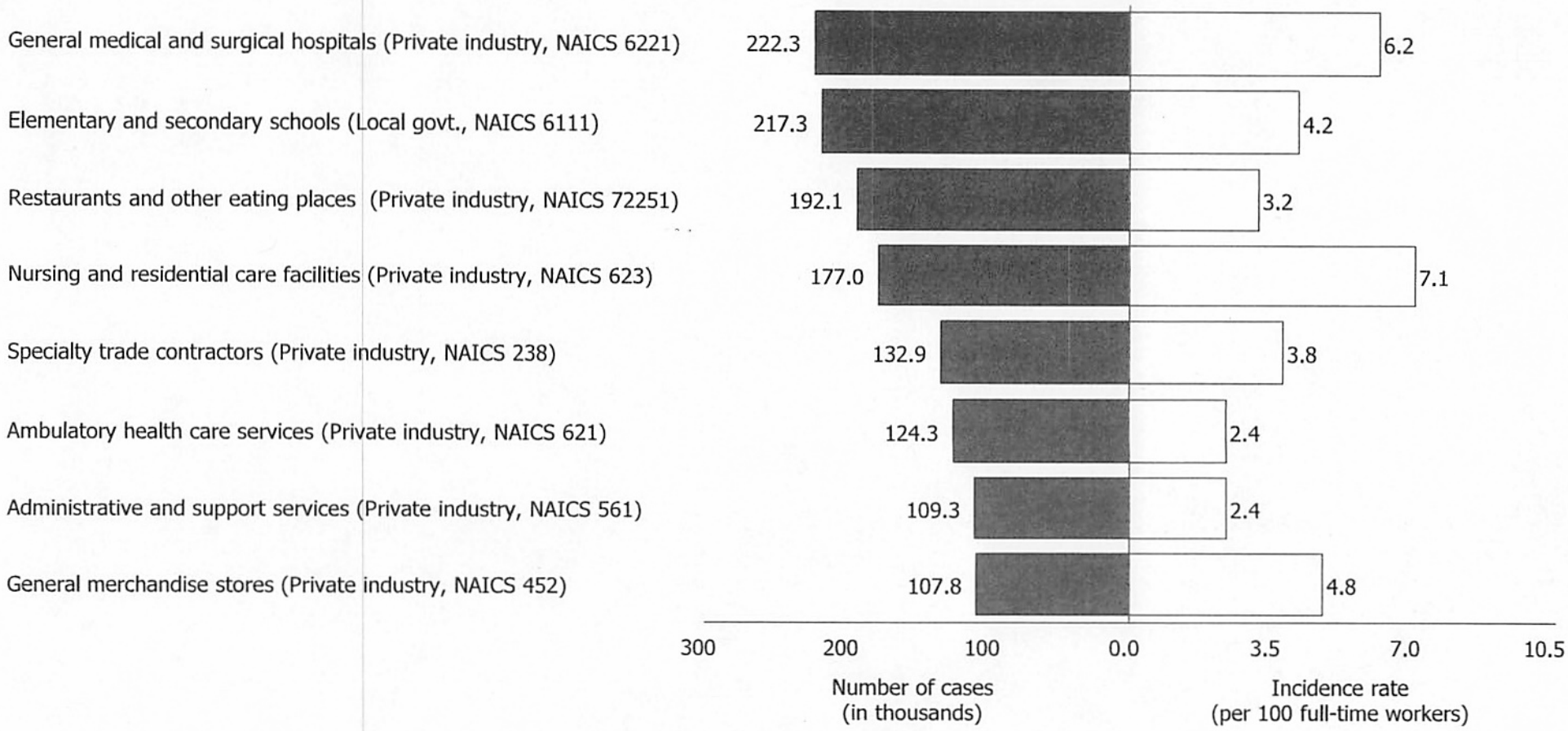
- Why do we have OSHA recordkeeping?
- What's new with the reporting and recording requirements?
- What is the relationship between OSHA recordkeeping and workers' compensation?
- Who must keep these records?
- What is "work-relationship" as defined by OSHA's recordkeeping rule?
- What are the OSHA recordkeeping criteria?
- What are the recordkeeping forms that I must keep?
- Case studies and head-scratchers
- Questions?

Industries with the highest incidence rates of total nonfatal occupational injuries and illnesses, Maryland 2014



Source: Maryland DLLR, Div. of Labor and Industry in cooperation with the U.S Dept. of Labor, Bureau of Labor Statistics, 2015

Selected industries reporting 100,000 or more nonfatal occupational injuries and illnesses, all ownerships, 2014



Eight industries reported 100,000 or more injury and illness cases in 2014. Combined these eight industries alone accounted for more than one-third (34.9 percent) of all cases reported among private industry and state and local government workplaces in 2014.

Source: U.S. Bureau of Labor Statistics, 2015